

## **REVISED PROFFERS**

**January 27, 2005**

**Rezoning Application No. ZM-88-04**

Conditions voluntarily proffered for the reclassification of property identified as part of "Parcels E & F, Plat BK. 9, PG. 47, Being the Property of Alexander W. Jones, et ux", as shown on the Zoning Plat bearing the same description, prepared by the Landmark Design Group, Inc. and dated July 22, 2004.

I hereby voluntarily proffer that the development of the property subject to the above-described Zoning Plat and proposed for reclassification from RR (Rural Residential) to EO (Economic Opportunity) shall be in strict conformance with the conditions set forth below.

In connection with development of the property which is the subject of this Rezoning Application, it is hereby agreed that the property subject to this Rezoning Application shall be as an expansion of the King's Creek Plantation Timeshare (Interval Ownership) Development, which was the subject of Rezoning Application ZM-24-97 and Special Use Permit UP-524-97, and accordingly, with respect to the property subject to the ZM-88-04 Rezoning Application, it is agreed as follows:

(1) That the property will be developed in general conformance with the "King's Creek Plantation Jones Property Expansion Sketch Plan", (hereinafter "Sketch Plan") prepared by the LandMark Design Group, Inc., dated August 2, 2004, the original of which is on file with the Planning Department of the County of York, Virginia and the plat entitled, "Composite Exhibit King's Creek Plantation", prepared by Landmark Design Group, Inc., and dated January 1, 2004. And further, that the property will only be developed for interval ownership units of the types generally described in the narrative entitled, "King's Creek Plantation Jones Property Expansion Request for Rezoning to EO and a Special Use Permit to Allow Interval Ownership Development", dated August 2, 2004, the original of which is on file with the Planning Department of the County of York, Virginia..

(2) That on the property which is the subject of this rezoning, no building shall be constructed within 50' of the property line of the property being rezoned and adjacent property owners (the driveways, parking areas and utilities and the like being permitted within said agreed set back area). There is attached hereto and made a part hereof by reference thereto to illustrate how set back may be achieved, a Progress Print drawing entitled, "JONES ACQUISITION EXHIBIT, KING'S CREEK PLANTATION, BRUTON MAGISTERIAL DISTRICT, YORK COUNTY, VIRGINIA, KING'S CREEK PLANTATION, L.L.C.", dated January 6, 2005, prepared by LandMark Design Group; the lay out shown of the buildings is conceptual in nature and may be subject to

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change at the time of actual construction, provided, however, no building shall be located within 50' of any property line.

(3) That no building constructed on the subject property shall exceed four (4) stories in height.

(4) That vehicular ingress and egress to the subject property will be provided via the existing Tranquility Drive exclusively; except, however, that emergency ingress and egress only may be provided via a direct connection to Penniman Road (State Rte. 641), as shown on the Sketch Plan.

KING'S CREEK DEVELOPERS, LLC

By

  
Its Authorized Agent

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